

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TERAZE TAYLOR,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF
CORRECTIONS, ALYSSA KEKOA-
OSHIRO, JACQUELINE NELSON,
DAVID SATHERS, JEFF KINNE,
DANIELLE ARMBRUSTER, STEPHEN
SINCLAIRE, MAURO PARTIDA, GWIN
PENSROSE,

Defendants.

CASE NO. 21-5224 RJB

ORDER DENYING MOTION FOR
SUMMARY JUDGMENT

This matter comes before the Court on Plaintiff's Motion for Summary Judgment. Dkt.

19. The Court has considered the pleadings filed in support of and in opposition to the motion and the file herein.

FACTS

On March 27, 2021, the Plaintiff, acting *pro se*, filed this civil rights case, applied to proceed *in forma pauperis* ("IFP"), and provided a proposed complaint. Dkts. 1 and 1-1. After

1 The Plaintiff's motion for summary judgment (Dkt. 19) should be denied as premature
2 and without merit. This case is just beginning. The parties have not held their status conference
3 or filed their Joint Status Report. No discovery has occurred. The Defendants filed their Answer
4 in accord with Fed. R. Civ. P. 8(b)(1), which merely requires that "[i]n responding to a pleading
5 [like the Plaintiff's Amended Complaint] a party must . . . admit or deny allegations asserted
6 against it by an opposing party."

7 Moreover, the Plaintiff has the burden of proof on each of the claims he asserts. He has
8 failed to point to undisputed admissible evidence which supports each element of his claims. He
9 is not entitled to a judgment as a matter of law.

10 **ORDER**

11 Therefore, it is hereby **ORDERED** that:

- 12
 - Plaintiff's Motion for Summary Judgment (Dkt. 19) **IS DENIED**.

13 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
14 to any party appearing *pro se* at said party's last known address.

15 Dated this 30th day of August, 2021.

16 

17 ROBERT J. BRYAN
18 United States District Judge